

**JOE WARDY**  
MAYOR  
  
**JOYCE WILSON**  
CITY MANAGER



## **CITY COUNCIL**

**SUSAN AUSTIN**  
DISTRICT NO. 1

**ROBERT A. CUSHING, JR.**  
DISTRICT NO. 2

**JOSE ALEXANDRO LOZANO**  
DISTRICT NO. 3

**JOHN F. COOK**  
DISTRICT NO. 4

**PRESI ORTEGA, JR.**  
DISTRICT NO. 5

**PAUL J. ESCOBAR**  
DISTRICT NO. 6

**VIVIAN ROJAS**  
DISTRICT NO. 7

**ANTHONY W. COBOS**  
DISTRICT NO. 8

**REGULAR COUNCIL MEETING  
COUNCIL CHAMBERS  
NOVEMBER 16, 2004  
9:00 A.M.**

The City Council met in regular session at the above place and date. Mayor Joe Wardy present and presiding and the following Council Members answered roll call: Susan Austin, Robert A. Cushing, Jr., John F. Cook, Presi Ortega, Jr., Vivian Rojas and Anthony W. Cobos. Late arrivals: Jose Alexandro Lozano arrived at 9:07 a.m. and Paul J. Escobar arrived at 9:17 a.m. Absent: None. Meeting was called to order at 9:05 a.m. and the invocation was given by Police Chaplain Clift Barnes, followed by the Pledge of Allegiance to the Flag of the United States of America.

Mayor Joe Wardy recognized duly elected Representative for District No. 5, Presi Ortega, Jr.

### **MAYOR'S PROCLAMATION**

#### ***EL PASO FAMILY WEEK***

### **RECOGNITIONS**

1. Recognition of Texas Gas Service Company, West Texas Region, for donating three retired utility service trucks to neighborhood associations in City Districts 2, 3, and 8 that will be used for community cleanups, parades and other necessary and important civic functions. Representatives of the Bel Air Optimists, El Paso Opportunity Center, and Armed Forces-YMCA, as well as Representatives Lozano, Cushing, and Cobos will honor Texas Gas Service Company for this great gesture of giving back to the community as well as having great pride for the City of El Paso.

Representatives Lozano and Cobos commented.

Mr. Gilbert Diaz, Bel Air Optimist representative, presented a plaque to Messrs. Richard Fleager and Pete Parra, Texas Gas Service Company, in appreciation for their generous donations.

Mr. Parra read from a prepared statement and thanked the Council Members for the recognition.

Mr. Mark Alvarado, Neighborhood Initiatives Liaison, commented.

2. Recognition and presentation of a plaque to members of Parents Association for Recreation for Kids, Inc. (P.A.R.K) from the residents of District #8 of the City of El Paso for their participation in the improvements and construction of "El Paso's First Community Built Playground" at White Spur Park.

Representative Cobos and Austin recognized and presented a plaque to members of "Parents Association for Recreation for Kids, Inc. (P.A.R.K.)".

Ms. Caroline North and Ms. Sabrina Crowley, P.A.R.K.'s representatives, commented and gave a Powerpoint presentation regarding the installation of the playground equipment by the community at White Spur Park.

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**NO ACTION WAS TAKEN** on the presentation regarding the Municipal Court Scofflaw revenue collected and warrants cleared. [David Marquez, El Paso County Tax Assessor's Office]

Messrs. Victor Flores, El Paso County Tax Assessor, and David Marquez, Enforcement Director for the El Paso County Tax Assessor's Office, provided copies of documents (on file in the City Clerk's office) and updated the Council Members regarding the Municipal Court Scofflaw revenue collected and warrants cleared.

Mayor Joe Wardy recognized Ms. Betti Flores, County Commissioner, and commented.

Representative Cobos commented.

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**NO ACTION WAS TAKEN** on the alternatives and changes to the "Westside Master Plan" approved by the PSB on May 26, 2004. [Rick Bonart]

Mayor Joe Wardy requested that Dr. Bonart's item be discussed with the following:

Item 23B: Discussion and action on a resolution approving the Westside Master Plan as a guide for development of an 1,850 acre parcel of land owned by the City of El Paso and managed by the Public Service Board located in the Northwest Planning Area; to authorize amendments to The Plan for El Paso regarding the subject property; to require certain conditions be placed on all future land sales for the subject property, and that the Planning, Research & Development Department be authorized to accept and process a land study application for the subject property.

Dr. Rick Bonart agreed with the Mayor's suggestion.

See page 16 for discussion.

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**NO ACTION WAS TAKEN** on the Rabies Three-year Protocol Implementation Plan. [Richard Schecter]

Mr. Richard Schecter, citizen, commented.

Mayor Joe Wardy, Representatives Cook and Rojas, Mr. Mark Everett, Public Health Administrator for the El Paso City-County Health and Environmental District, and Ms. Betti Flores, County Commissioner, commented.

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Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPROVE**, as revised, all matters listed under the **CONSENT AGENDA** unless otherwise noted.

(Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {\*}).  
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Motion made by Representative Lozano, seconded by Representative Cobos and unanimously carried to **RECESS** the City Council Meeting to discuss the Special City Council Meeting at 10:02 a.m.

Motion made by Representative Cushing, seconded by Representative Ortega and unanimously carried to **RECONVENE** the City Council Meeting from the Special City Council Meeting at 10:07 a.m.

\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of November 9, 2004 and the Special City Council Meeting of November 11, 2004.

\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **POSTPONE TWO (2) WEEKS** the approval of the Minutes for the Regular City Council Meeting of November 2, 2004.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City Manager be authorized to sign, on behalf of the City, a Contract of Sale between the CITY OF EL PASO and MANUEL H. RUIZ and MANUELA RUIZ for the purchase of Lot 5, Block 7, Stiles Gardens, replat of Lots 26 and 27, El Paso County, Texas, also known as 319 Dodge Road, to be used for the purpose of right-of-way requirements related to the construction of the Hawkins Extension project.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City of El Paso accept responsibility for the maintenance of the illumination lamp systems located on Boone Street adjacent to the Concordia Cemetery between Yandell and Gateway West. These lampposts were donated by the Concordia Heritage Association.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of EIGHT THOUSAND SEVEN HUNDRED AND NO/100 DOLLARS (\$8,700.00, Grant Note - \$4,675.00, Loan Note - \$4,025.00), against the following described real property:

Lot 1, Block 7, LANCASTER ADDITION, UNIT ONE, SECTION C,  
an addition to the City of El Paso, El Paso County, Texas; known  
and numbered as 9168 Nottingham

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Fifty and 31/100 Dollars (\$50.31).

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of ELEVEN THOUSAND ONE HUNDRED AND NO/100 DOLLARS (\$11,100.00, Grant Note -\$950.00, Loan Note - \$10,150.00), against the following described real property:

Lot 9, Block 22, EASTWOOD, SECTION 2, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Book 9, Page 35, Plat Records; known and numbered as 7611 Springwood

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Nine and 28/100 Dollars (\$9.28).

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Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **MOVE TO THE REGULAR AGENDA** the following:

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign and submit a Full Initial Proposal Application to the Hogg Foundation for Mental Health on behalf of the City of El Paso in the amount of \$181,501.20 in private foundation funds for the Senior Peer Counseling Program for the Project for the Optimal Care of Underserved Seniors (Project FOCUS); and,

That Robert A Salinas, Director of Community & Human Development, be authorized to furnish such additional information as the Hogg Foundation for Mental Health may require in connection with the Application for this Project; and,

That the Mayor be authorized to execute, on behalf of the City of El Paso, any Grant Agreement, and any amendments to the Initial Grant Agreement which increases, decreases or deobligates Program funds, provided that no additional City funds are required, upon approval by the Hogg Foundation for Mental Health; and

That the Mayor be authorized to sign Agreements between the City and the Collaborative Partners for the project, El Paso Community Mental Health and Mental Retardation Center, TriWest Group LLC, the County of El Paso (City-County Nutrition Program), LULAC Project Amistad, and Centro San Vicente in accordance with the Grant Application. [No City cash match required.]

Ms. Karen Slaton, citizen, commented.

Mayor Joe Wardy and Representative Cook commented.

Motion made by Representative Cook, seconded by Representative Cushing and unanimously carried to **APPROVE** the above Resolution.

Representative Cobos was not present for the vote.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a First Amendment to an Agreement for Engineering Services by and between the **CITY OF EL PASO** and **FRANK X. SPENCER & ASSOCIATES, INC.**, for a project known as "**George Orr Road Street & Drainage Improvements**" in an amount not to exceed **THREE THOUSAND FIVE HUNDRED TWENTY-EIGHT and NO/100 DOLLARS (\$3,528.00)**.

**\*RESOLUTION**

Whereas, Ortega Construction Co., Inc. entered into a construction contract with the City of El Paso dated January 6, 2004 for a project known as the George Orr Road Street & Drainage Improvements, and

WHEREAS, Ortega Construction Co., Inc. and National American Insurance Company issued a Performance Bond and Payment Bond in connection with the contract and the project, and

WHEREAS, Ortega Construction Co., Inc. defaulted and terminated the construction contract, and the City subsequently called upon the North American Insurance Company to arrange for completion of the Project under the terms of the Performance Bond, and

WHEREAS, the City and North American Insurance Company desire to arrange for completion of the work on the Project under the terms and conditions of the construction contract, and

WHEREAS, North American Insurance Company has obtained a proposal from a contractor who can conform with the terms of the construction contract for the completion of the work under the contract,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Tender Agreement between the **CITY OF EL PASO** and **NATIONAL AMERICAN INSURANCE COMPANY** for a project known as "**George Orr Road Street & Drainage Improvements**".

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Traffic Signal Agreement between the **CITY OF EL PASO** and the **WESTERN REFINING COMPANY, L.P.** for the installation of two (2) warning flasher signals on Trowbridge Avenue between Texaco Way and Delta FM 76. There is no cost to the City.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Mayor Be Authorized to sign an Agreement between the **CITY OF EL PASO** and **EP PARK HILLS II, LTD.** for the landscaping and maintenance of the street medians in the Park Hills IV Subdivision, El Paso, El Paso County, Texas.

\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **POSTPONE ONE (1) WEEK** the Resolution that the City Manager, subject to the appropriate land acquisition procedures, be authorized to enter negotiations with the County of El Paso for the conveyance or lease of the site of the former Landmark Building as a Cancer Survivors Park, and that the City Manager enter into negotiations and an agreement with Candlelighters of El Paso that it will apply and secure sufficient funds to construct and maintain a Cancer Survivors Park if the City accepts the real property from the County of El Paso.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an agreement granting an underground electrical easement with transformer site to the El Paso Electric Company for Blocks 7H & 8H, Satterthwaite Subdivision, El Paso County, Texas.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Mayor be authorized to sign a Contract between the City of El Paso and Keep El Paso Beautiful, Inc. in the amount of \$25,000.00 whereby Keep El Paso Beautiful, Inc. agrees to perform services, including educating the community about long-term benefits of developing and maintaining a clean and healthy community for the period beginning at the execution of this contract through August 31, 2005, subject to Civil Service Commission approval.

\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPROVE** the request to fill the following position on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Clerk Typist II (1)

\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPROVE** the following provisional appointment in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

Chief Plans Examiner (1)

\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPROVE** the Staffing Table Change for **SOLID WASTE MANAGEMENT**

Delete	15.00	Equipment Operator II	GS 15
Add	15.00	Refuse Equipment Operator	GS 15
Delete	1.00	Equipment Operator II	GS 15
Add	1.00	Refuse Equipment Operator	GS 15

\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPROVE** the Staffing Table Change for **PARKS & RECREATION**

Add	1.00	Recreation Program Supervisor	PM 71
Delete	1.00	Aquatics Program Supervisor	PM 71

Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **MOVE TO THE REGULAR AGENDA** the staffing table changes for **MUNICIPAL SERVICES**

Delete	1.00	Deputy City Manager	EX A
Add	1.00	Deputy City Manager	EX AA

Representatives Cushing, Cook, and Cobos commented.

Ms. Joyce Wilson, City Manager, gave the particulars.

Motion made by Representative Cushing, seconded by Representative Escobar and carried to **APPROVE** the Staffing Table Change for **MUNICIPAL SERVICES**

Delete	1.00	Deputy City Manager	EX A
Add	1.00	Deputy City Manager	EX AA

AYES: Representatives Austin, Cushing, Lozano, Ortega, Escobar, Rojas and Cobos

NAYS: Representative Cook

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Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **MOVE TO THE REGULAR AGENDA** the staffing table changes for **BUILDING AND PLANNING SERVICES**

Delete	1.00	Deputy City Manager	EX A
Add	1.00	Deputy City Manager	EX AA

See discussion on the staffing table change for Municipal Services.

Motion made by Representative Cushing, seconded by Representative Escobar and carried to **APPROVE** the Staffing Table Change for **BUILDING AND PLANNING SERVICES**

Delete	1.00	Deputy City Manager	EX A
Add	1.00	Deputy City Manager	EX AA

AYES: Representatives Austin, Cushing, Lozano, Ortega, Escobar, Rojas and Cobos

NAYS: Representative Cook

.....  
Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **MOVE TO THE REGULAR AGENDA** the staffing table changes for **QUALITY OF LIFE SERVICES**

Delete	1.00	Deputy City Manager	EX A
Add	1.00	Deputy City Manager	EX AA

See discussion on the staffing table change for Municipal Services.

Motion made by Representative Cushing, seconded by Representative Escobar and carried to **APPROVE** the Staffing Table Change for **QUALITY OF LIFE SERVICES**

Delete	1.00	Deputy City Manager	EX A
Add	1.00	Deputy City Manager	EX AA

AYES: Representatives Austin, Cushing, Lozano, Ortega, Escobar, Rojas and Cobos

NAYS: Representative Cook

Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **MOVE TO THE REGULAR AGENDA** the staffing table changes for **FINANCIAL & ADMINISTRATIVE SERVICES**

Delete	1.00	Chief Financial Officer/Deputy Manager	EX AA
Add	1.00	Deputy City Manager	EX AA

See discussion on the staffing table change for Municipal Services.

Motion made by Representative Cushing, seconded by Representative Escobar and carried to **APPROVE** the Staffing Table Change for **FINANCIAL & ADMINISTRATIVE SERVICES**

Delete	1.00	Chief Financial Officer/Deputy Manager	EX AA
Add	1.00	Deputy City Manager	EX AA

AYES: Representatives Austin, Cushing, Lozano, Ortega, Escobar, Rojas and Cobos  
NAYS: Representative Cook

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\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **RE-APPOINT** Jorge Azcarate to the El Paso Mountain Committee by Representative Jose Alexandro Lozano, District 3.

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\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **RE-APPOINT** Daniel Moreno to the Historic Landmark Commission by Representative Jose Alexandro Lozano, District 3.

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\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **RE-APPOINT** Cynthia Foght to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative Vivian Rojas, District 7.

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\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPOINT** Peggy Brown Browning to the Art Museum Advisory Board by Representative Vivian Rojas, District 7.

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\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPOINT** Carla Cardoza to the Commission on Border Relations by Representative Vivian Rojas, District 7.

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\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPOINT** Geoffrey Wright to the Historic Landmark Commission by Mayor Pro Tempore Anthony W. Cobos, District 8.

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\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPROVE** the request to allocate TWO HUNDRED SEVENTY SIX DOLLARS (\$276.00) from District IV Discretionary Funds for payment to PDX Printing for the printing of programs at the 9-11 Heroes Celebration on September 11, 2004.

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\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPROVE** the request to allocate ONE HUNDRED NINETY-FOUR AND 80/100 DOLLARS (\$194.80) from District IV Discretionary Funds for payment to ROY LOWN'S CLASSIC AWARDS AND BILLIARDS for additional plaques presented to coordinators and volunteers at the 9-11 Heroes Celebration on September 11, 2004.



Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **MOVE TO THE REGULAR AGENDA** the installation of one street hump between 7352 and 7356 Dale Road, and a second street hump between 7352 and 7356 Franklin at an estimated total cost of \$5000 to be provided by District 3 Discretionary Funds.

Mayor Joe Wardy and Representatives Cushing, Lozano, Rojas and Escobar commented and/or asked questions of City staff and members of the public.

Mr. Daryl Cole, Street Director, Ms. Terri Cullen-Garney, Deputy City Attorney, and Ms. Joyce Wilson, City Manager, commented and/or responded to questions of the Council Members.

Ms. Lisa Turner, citizen, spoke in opposition to the installation of speed humps and responded to comments and/or questions of the Council Members.

Mr. James Major, Rosedale Farm Neighborhood Watch Association, spoke in favor of the installation of the speed humps.

Motion made by Representative Lozano, seconded by Representative Cushing and unanimously carried to **POSTPONE THREE (3) WEEKS** the installation of one street hump between 7352 and 7356 Dale Road, and a second street hump between 7352 and 7356 Franklin at an estimated total cost of \$5000 to be provided by District 3 Discretionary Funds.

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\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPROVE** installation, power, and maintenance of residential street lights at the following locations:

Alley behind 3429 and 3431 Pierce	\$464.00
Alley behind 3505 and 3509 Pierce	\$464.00
Between 8308 and 8309 Edgar Park	\$929.00
Between 8495 and 8499 Neptune	\$899.00

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\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried that the following tax refunds be **APPROVED**:

- A. Wells Fargo Real Estate Tax Service in the amount of \$4,795.63 overpayment of 2003 taxes.  
(PID #C340-999-1400-0400)
- B. Manuel Acosta in the amount of \$2,664.78 overpayment of 2003 taxes.  
(PID #D377-999-001C-4300)
- C. Wells Fargo Real Estate Tax Service in the amount of \$9,806.93 overpayment of 2003 taxes.  
(PID #M815-999-0010-2100)
- D. Tony Valdez Jr., & Irma Y. in the amount of \$3,784.64 overpayment of 2003 taxes.  
(PID #R230-001-0010-1900)
- E. Citi Financial Mortgage in the amount of \$7,264.51 overpayment of 2003 taxes.  
(PID #C518-999-0990-0500)
- F. MCI Worldcom Network Services in the amount of \$22,070.73 overpayment of 2004 taxes.  
(1998-999-2290-0042)

\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried that the following installment agreements for AD VALOREM taxes be **APPROVED** in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID #M794-999-0130-7800, \$454.32 per month installments on a balance of \$5,451.84 for 1997, 1998 & 1999 taxes; Albino A. Cordova – 3514 Jefferson Ave.
- B. PID #K216-999-0260-1300, \$379.78 per month installments on a balance of \$4,557.36 for 2003 Taxes; Michael D. & Susan P. Stowe – 1201 Madeline.
- C. PID #R053-000-0030-0200, \$172.02 per month installments on a balance of \$4,128.48 for 2002 & 2003 taxes; Angel Jr., & Guadalupe Garces - N/A.
- D. PID #G550-000-0170-0080, \$439.23 per month installments on a balance of \$5,270.76 for 2002 & 2003 taxes; Arturo Lazos – Sonia Cisneros - N/A.
- E. PID #C815-999-0010-1600, \$476.10 per month installments on a balance of \$5,713.20 for 2001 & 2002 taxes; Ceasar Cazares - Araceli Hernandez – 6205 Bluff Trail.
- F. PID #C868-999-0020-0100, \$305.13 per month installments on a balance of \$3,661.56 for 2003 taxes; Simon Bir % Mills Escrow Company – 5160 Del Valle.
- G. PID #'s L213-000-0060-0450, L213-000-0060-0650 & L213-000-0060-0600, \$1,177.75 per month installments on a balance of \$9,422.00 for 1997, 1998, 1999, 2000, 2001, 2002 & 2003 taxes; Francisco R. Corral – Las Casitas.
- H. PID #P389-999-0000-4200, \$721.77 per month installments on a balance of \$4,330.62 for 2000, 2001 2002 & 2003 taxes; Saul & Gloria Pena – 6444 Art Cir.
- I. PID #S533-000-0160-1911, \$360.43 per month installments on a balance of \$6,487.74 for 1995, 1997, 1998, 1999, 2000, 2001, 2002 & 2003 taxes; Rafael & Amparo Carrillo – 207 Moon.
- J. PID #S812-999-0220-3400, \$199.87 per month installments on a balance of \$2,398.44 for 2002 & 2003 taxes; Leticia Rivera – 12433 Red Sun.
- K. PID #'s X035-000-0000-3050 & 1996-000-3102-0023, \$626.63 per month installments on a balance of \$5,639.67 for 2003 taxes; Leelan & Vickie Nunn – 400 Valley Chile.
- L. PID #'s B800-999-0140-0100 & B800-999-0110-1100, \$418.54 per month installments on a balance of \$15,067.44 for 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001 2002 & 2003 taxes; Guadalupe Martinez – 315 Nopal.
- M. PID #S922-999-003E-5500, \$578.78 per month installments on a balance of \$6,945.36 for 2001, 2002 & 2003 taxes; Jesus & Irma Esparza – 4206 Volcanic Ave.
- N. PID #G686-999-0680-0100, \$211.63 per month installments on a balance of \$2,539.56 for 2002 & 2003 taxes; Bradley A. & Cynthia K. Mowak – 3731 Mobile.
- O. PID #S533-000-0030-6580, \$539.14 per month installments on a balance of \$6,469.68 for 2002 & 2003 taxes; Lloyd J. & Tina McNeil – 10949 E. Burt Rd.
- P. PID #M750-000-0020-0010, \$208.36 per month installments on a balance of \$2,500.32 for 2003 taxes; Juan & Socorro Perez – 10401 Montevideo St.

- Q. PID #G686-999-0770-7800, \$411.22 per month installments on a balance of \$4,934.64 for 2002 & 2003 taxes; Linda L. Foster – 3812 McKinley Ave.
- R. PID #E131-999-0070-4120, \$1,805.99 per month installments on a balance of \$10,835.94 for 2001, 2002 & 2003 taxes; Humberto Gonzalez – N/A.
- S. PID #'s S533-000-0220-08A0 & S533-000-0220-08A1, \$615.78 per month installments on a balance of \$7,389.36 for 1998, 1999, 2000, 2001, 2002 & 2003 taxes; Irene Madrid – 10264 Socorro Rd.
- T. PID #S155-000-0020-1102, \$408.66 per month installments on a balance of \$14,711.76 for 1999, 2000, 2001, 2002 & 2003 taxes; Jose De La Rosa - 11806 N. Loop.
- U. PID #'s C720-000-0110-0500 & C720-000-0110-0501, \$785.87 per month installments on a balance of \$4,715.22 for 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002 & 2003 taxes; Julio D. & Martha M. Lomeli – 1056 Gladiola.
- V. PID #A765-999-001A-0561, \$1,434.20 per month installments on a balance of \$8,605.20 for 2003 taxes; Alyca E. S. Moore – 11107 Montwood Dr.

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 \*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to award Solicitation No. 2005-022 Sodium Bicarbonate

Award to: Baron Chemical Co., Inc.  
 El Paso, Texas  
 Item (s): #1 (all)  
 Amount: \$16,412.50 (estimated annually)

Department: Street  
 Funds available: 32010362-503203-01101  
 Funding source: General Street Operating Funds  
 Total award: \$32,825.00 (estimated)

The Street and Purchasing Departments recommend award as indicated to the sole responsive offer meeting specifications, from responsible parties.

No options offered.

This is a Requirements Type Contract with an initial term of Twenty-Four (24) months.

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 \*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried that Council **AUTHORIZE** the transfer of \$225,000 to the McKelligon Canyon Amphitheater Renovation project construction account from the Park Proposition Contingency Fund in conformance with the P+3's Program Outlook Plan approved by City Council on September 14, 2004.

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 \*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried that Council **AUTHORIZE** the transfer of \$95,000 to the Rose Garden Park design and construction accounts from the Park Proposition Contingency Fund in conformance with the P+3's Program Outlook Plan approved by City Council on September 14, 2004.  
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\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried that Council **COMBINE** the budgets, design and bid the twenty three Park projects in combined bid packages in conformance with the P+3's Program Outlook Plan approved by City Council on September 14, 2004.

\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried that Council **AUTHORIZE** the transfer of \$350,000 to the Northeast Regional Park project design and construction accounts from the Park Proposition Contingency Fund in conformance with the P+3's Program Outlook Plan approved by City Council on September 14, 2004.

\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPROVE** budget transfer BT2005-118 PARKS AND RECREATION

This budget transfer requests a new appropriation to purchase AED's for Carolina, LF Washington, Nations-Tobin, Pavo Real, San Juan, Galatzan, Seville, Memorial Park & Acosta Sports Center. Money is available in each Center's Fund Balance.

Increase	\$1,500	to	51510073/P50020816308/407002	EstRev
Increase	\$1,500	to	51510073/P50020816308/503112	Medical
Increase	\$1,500	to	51510081/P50020916309/407002	EstRev
Increase	\$1,500	to	51510081/P50020916309/503112	Medical
Increase	\$1,500	to	51510099/P50021016310/407002	EstRev
Increase	\$1,500	to	51510099/P50021016310/503112	Medical
Increase	\$1,500	to	51510115/P50021216312/407002	EstRev
Increase	\$1,500	to	51510115/P50021216312/503112	Medical
Increase	\$1,500	to	51510123/P50021316313/407002	EstRev
Increase	\$1,500	to	51510123/P50021316313/503112	Medical
Increase	\$1,500	to	51510131/P50021416314/407002	EstRev
Increase	\$1,500	to	51510131/P50021416314/503112	Medical
Increase	\$1,500	to	51511098/P50021616316/407002	EstRev
Increase	\$1,500	to	51511098/P50021616316/503112	Medical
Increase	\$1,500	to	51510164/P50021816318/407002	EstRev
Increase	\$1,500	to	51510164/P50021816318/503112	Medical
Increase	\$1,500	to	51010215/P50020216302/407002	EstRev
Increase	\$1,500	to	51010215/P50020216302/503112	Medical

\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPROVE** the request of the City of El Paso, Parks & Recreation to use amplification (4 speakers and 3 microphones) at San Jacinto Plaza on December 4, 2004 from 3:00 p.m. to 7:00 p.m. for a Christmas Tree Lighting Ceremony. Approximately 30 persons will take part and 50,000 spectators are anticipated. PERMIT#: 04-150

\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPROVE** the request of the City of El Paso, Parks & Recreation to hold a Holiday Lights parade on December 4, 2004 from 6:00 p.m. to 8:00 p.m. Route: Start at Kansas and Campbell, proceed on Campbell to Main, turn left on Main to Oregon, turn left on Oregon to San Antonio, turn left on San Antonio to Campbell, turn left on Campbell and finish at Campbell and Texas. The parade will stage on Mills east of Campbell and Florence, Ochoa and Virginia. Approximately 400 persons, 50 vehicles, 10 animals, 15 floats and 50,000 spectators are anticipated. This request includes permission to use amplification (sound on floats). PERMIT NO#: 04-149

\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPROVE** the request of Diocese of El Paso to hold a procession and rally on January 16, 2005 from 1:00 p.m. to 3:00 p.m. Rally will be held at Houston Park-900 Montana. Route for procession: Start at Houston Park to Yandell, turn left on Yandell to Stanton, turn right on Stanton to Arizona, turn left on Arizona and finish at St. Patrick Cathedral Church. Approximately 200-300 persons will take part. This request includes permission to use amplification (1 microphone, 2 portable speakers, and 1 generator). PERMIT#: 04-148

\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPROVE** the request of San Juan Bautista Catholic Church to hold a procession on November 21, 2004 from 3:30 p.m. to 5:00 p.m. Route: Start at 5647 Dailey, proceed on Dailey to Chelsea, turn right on Chelsea to the Chelsea Apartments-600 Chelsea, enter the parking area (south entrance), exit the parking area (north exit), proceed south on Chelsea to Rosa, turn left on Rosa to Glenwood, turn right on Glenwood to Dailey, and finish at the church-5647 Dailey. Approximately 200 persons will take part. This request includes permission to use amplification (1 p.a. system-150 watts and 2 microphones). PERMIT #: 04-154

\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **APPROVE** the request of Celestina Cuellar to block off the 800 block of Olson on November 21, 2004 from 12:00 p.m. to 5:00 p.m. for a block party (matachines). Approximately 30 persons will take part and 70 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices." PERMIT#: 04-156

Motion made by Representative Cushing, seconded by Representative Rojas and unanimously carried that the following Ordinances, having been **INTRODUCED** pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance amending Title 14 (Aircraft and Airports), Chapter 14.16 (Airport use regulations) of the El Paso Municipal Code by amending Section 14.16.135, Fuel flowage fees, to delete the exception for aircraft involved in a commercial activity for which payment of a landing fee is required. The penalty as provided in Chapter 1.08 of the El Paso Municipal Code.
- B. An Ordinance Amending Title 14 (Aircraft and Airports), Chapter 14.24 (Commercial Air Carriers Rates and Charges) of the El Paso Municipal Code by amending Appendix A to set forth new cost recovery rates for Fiscal Year 2005. The penalty as provided in Chapter 1.08 of the El Paso Municipal Code.
- C. An Ordinance amending Title 2 (Administration and Personnel) of the El Paso City Code, by revising Chapter 2.30 (Building Board of Appeals), to incorporate the responsibilities of the Electrical Board of Appeals (Codified currently as Chapter 2.34), to incorporate the responsibilities of the Plumbing/HVAC Board (Codified currently as Chapter 2.32), and to make significant changes to the board.
- D. An Ordinance to repeal Title 5 (Business Taxes, Licenses and Regulations), Chapter 5.52 (Massage and Turkish Bath Establishments).
- E. An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits) of the El Paso Municipal Code, To Temporarily Reduce the existing Speed Limit of 60 M.P.H. to 50 M.P.H. on IH-10 East, between McRae Boulevard to 1.56 Miles West of FM 659 (Zaragoza Road) for the Duration of the IH-10 Texas Department of Transportation Rehabilitation Project. The Penalty Being As Provided In Section 12.84.010 Of The El Paso Municipal Code.

- F. An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow-Away Zone), Subsection (A) Of The El Paso Municipal Code, By Adding A New Location on Dodge Road, From Stiles Drive Southwesterly To Its Terminus, both Sides. The Penalty Being As Provided In Section 12.88.180 Of The El Paso Municipal Code.
- G. An Ordinance granting Special Privilege to the Sun Bowl Association authorizing the encroachment of seventy-nine temporary street displays on city fixtures and utility poles on portions of Airway Boulevard between Gateway West Boulevard and Convair Road promoting the Vitalis Sun Bowl Game. (Fee: \$3,160.00, SP-04026)
- H. An Ordinance vacating a ten-foot (10') wide utility easement located within all of Lot 2, Municipal Center Subdivision, City of El Paso, El Paso County, Texas.

**PUBLIC HEARING WILL BE HELD ON NOVEMBER 30, 2004 FOR ITEMS A – H**

- I. An Ordinance granting Special Permit No. ZON04-00124, to allow for a public or governmental use on a Portion of Tract 2G, El Shazo Survey 218, El Paso, El Paso County, Texas (110 Mesa Park Drive) pursuant to Section 20.40.040. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: City of El Paso.
- J. An Ordinance granting Special Permit No. ZON04-00125, to allow for a public or governmental use on Lot 75, Block 41, Vista Real Unit Three, Amended Subdivision, El Paso, El Paso County, Texas (3475 Nolan Richardson Drive) pursuant to Section 20.14.040. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: City of El Paso.
- K. An Ordinance changing the zoning of portion of Lot 3, Block 46, Sun Ridge Unit 12, El Paso, El Paso County, Texas from C-1/sc (Commercial/special contract) to C-3/sc (Commercial/special contract). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Peace Partners Car Wash, LLC. ZON04-00126
- L. An Ordinance changing the zoning of Parcel 1: A portion of Tract 17C60, 17C61, 17C23, 17C181, 17C182, 17C9, 17C1, and 17C2, Block 79, Section 8, Township 3, Texas and Pacific Railroad Surveys, El Paso, El Paso County, Texas from R-3 (Residential) to C-4 (Commercial) and imposing certain conditions; and Parcel 2: A portion of Tract 17C60, 17C61, 17C23, 17C181, 17C182, 17C9, 17C1, and 17C2, Block 79, Section 8, Township 3, Texas and Pacific Railroad Surveys, Texas and Pacific Railroad Surveys, El Paso, El Paso County, Texas from R-3 (Residential) to C-2 (Commercial) and imposing certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Patricia Diamanti, Danny and Jeanette Powell, Fred and Lucile Sword, and Mary Fonte. ZON04-00127
- M. An Ordinance changing the zoning of Tract 19, S. A. & M. G. Railway Company Survey No. 266, El Paso, El Paso County, Texas from R-3 (Residential) to A-2 (Apartment) and imposing certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: The Steel Corporation of Texas. ZON04-00128

**PUBLIC HEARING WILL BE HELD ON DECEMBER 7, 2004 FOR ITEMS I – M**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

\*Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to **POSTPONE TWO (2) WEEKS** the discussion and action on approval of a Memorandum of Understanding to be submitted to the United States Bankruptcy Court in the Chapter 7 case of Cumbre Development Corp., Case No. 02-32345, in support of Trustee's Motion to Sell Property Free and Clear of Liens Pursuant to 11 U.S.C. Sec. 363 to First National Bank.

.....  
**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Professional Services Agreement between the CITY OF EL PASO and PATRICIA A. SHIPTON for the term of the agreement through November 16, 2005, to provide state legislative lobbying services.

Representative Cook stated, for the record, that he was impressed with Ms. Shipton's credentials.

Mayor Joe Wardy and Representative Cobos commented.

Representative Austin requested that, it be stated for the record or that it be understood by Ms. Shipton, that Ms. Joyce Wilson, City Manager, be kept informed.

Ms. Patricia A. Shipton, lobbyist, commented.

Ms. Laura Uribarri, Executive Assistant to the Mayor, commented.

Ms. Lisa Turner, citizen, asked questions and commented.

Motion made by Representative Cook, seconded by Representative Cushing and unanimously carried to **APPROVE** the above Resolution.

.....  
Motion made by Representative Cushing, seconded by Representative Cobos and unanimously carried to **APPROVE** budget transfer BT2005-130 AIRPORT

Transfer of funds to set up funding for the golf course construction portion of the resort project.

Increase	\$ 30,000	to	62620026/PAP002341063/508017	Surveys
Increase	\$12,875,000	to	62620026/PAP002341063/508027	Construction
Increase	\$12,905,000	to	62620026/PAP002341063/407001	Intrfd Trf In
Increase	\$12,905,000	to	62620018/P50000241021/407002	Est Rev
Increase	\$12,905,000	to	62620018/P50000241021/507001	Intrd Trf Out

Representative Ortega and Mayor Joe Wardy commented.  
.....

## RESOLUTION

### BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the El Paso City Council hereby renames the portion of Loma Del Norte Drive, between Jon Cunningham Boulevard and Loma Real Avenue, to Andrew Barcena Drive, and authorizes the City Manager to take any and all action necessary to effectuate such renaming. The entire length of Loma Del Norte Drive hereby renamed is located within the City of El Paso, El Paso County, Texas.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to **APPROVE** the above Resolution.

There was no discussion.

.....  
The following two items were considered together:

2. Discussion and action: alternatives and changes to the "Westside Master Plan" approved by the PSB on May 26, 2004. [Rick Bonart]
- 23B. Discussion and action on a resolution approving the Westside Master Plan as a guide for development of an 1,850 acre parcel of land owned by the City of El Paso and managed by the Public Service Board located in the Northwest Planning Area; to authorize amendments to The Plan for El Paso regarding the subject property; to require certain conditions be placed on all future land sales for the subject property, and that the Planning, Research & Development Department be authorized to accept and process a land study application for the subject property.

Mayor Joe Wardy, Representatives Cushing, Austin, Escobar, Cook, Rojas, and Cobos, commented and/or asked questions of City staff and members of the public.

Mr. Ed Archuleta, General Manager for the El Paso Water Utility and Public Service Board, gave a Powerpoint presentation regarding the Westside Master Plan and responded to comments and/or questions of the Council Members and members of the public.

Mr. George G. Sarmiento, Director of Planning, Research and Development, commented and amended the resolution language and exhibits:

The following members of the public commented and/or responded to questions of the Council Members:

1. Dr. Rick Bonart, citizen,
2. Mr. Stuart Mitchell, President of Mountain Arroyos Neighborhood Association,
3. Mr. Brent Sanders, citizen,
4. Mr. Richard Schechter, citizen, and
5. Ms. Shannon Gibson, El Paso professional mountain biker.

## RESOLUTION

**WHEREAS**, the City of El Paso owns an 1850 acre parcel of land on the West side of El Paso as shown on exhibit "A" (Exhibit "A" on file in the City Clerk's Office) attached hereto ("subject tract"), such parcel under the management and control of its Public Service Board ("PSB") pursuant to Ordinance #752; and



**WHEREAS**, the PSB has adopted Rule 14 which requires that prior to any public sale of PSB controlled land of more than fifty acres deemed inexpedient to the system, such land shall be master planned in order to provide for a general plan of development to include layout of arterial streets, open areas, sites for public facilities, utilities, and determination of the availability of existing services to the area; and

**WHEREAS**, the El Paso City Council is of the opinion that such a master plan is of benefit to the citizens of El Paso as a tool in properly guiding the development of the subject tract; and

**WHEREAS**, as a result of extensive public stakeholder meetings and community input, a "Westside Master Plan" was developed and was approved by the PSB on May 26, 2004 as an appropriate plan for development of the subject tract;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That the Westside Master Plan as proposed be modified to include the following concepts:
  - a. To improve the appearance and recreational use of any "hybrid drainage channel," concrete lining and fencing of such channel will be avoided in favor of terraces, rocks, plants, and other natural design features and staff is herein authorized to proceed forward with any necessary code amendments, including but not limited to those specific to fencing found in 20.08.310.B or otherwise.
  - b. An area of special concern to citizen stakeholders is the area of Flowpath 38A as it transitions from a natural arroyo east of Helen of Troy to a hybrid drainage channel west of Helen of Troy (the "Special Transition Area"). In this Special Transition Area, the design of the hybrid channel will be widened or there will be a combination of hybrid channel and natural open space so as to preserve as much as possible the existing undeveloped hiking/biking trail known as "Lost Dog Trail" as shown by approximate location as marked on exhibit "B" (Exhibit "B" on file in the City Clerk's Office).
2. That the Westside Master Plan, attached and incorporated as exhibit "C" (Exhibit "C" on file in the City Clerk's Office), as modified pursuant to Paragraph 1 above, is hereby approved (the "Approved Westside Master Plan") and shall serve as a base document for any and all land development applications submitted by the PSB for the subject tract and shall be used by the PSB in connection with other planning tools to provide the best development possible for the subject tract; and
3. That the Department of Planning, Research, & Development is herein directed to proceed with an amendment to the 2025 Plan for El Paso to include applicable portions of the Approved Westside Master Plan as a specific study area plan addendum, modification of the Projected General Land Use Map for the Northwest Planning Area, as well as a modification of the 2025 Proposed Thoroughfare System (collectively, the "Amended 2025 Plan"); and
4. That all future land sales containing portions of the subject tract shall contain, at a minimum, covenants necessary to effectuate applicable portions of the Amended 2025 Plan as same may be amended from time to time, and the Approved Westside Master Plan to the extent such provisions are not covered by the Amended 2025 Plan; and

5. That the Department of Planning, Research and Development is authorized to accept and process a PSB application for land study for the subject area consistent with the Approved Westside Master Plan once the Amended 2025 Plan has been approved. Should the PSB choose to file an application for a land study, future PSB land sales shall contain a covenant that requires any subsequent purchaser to rely on the Municipal Code in effect at the time of filing of such purchasers first application in a series of applications necessary for development, and not on the Municipal Code in effect at the time the PSB land study was submitted.

Motion made by Representative Austin, seconded by Representative Cushing and unanimously carried to **APPROVE** the above Resolution as **AMENDED**.

.....  
Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to **AWARD** Solicitation No. 2004-251 4 Person Tilt Cab Pumps (rebid)

Representatives Cushing and Ortega were not present for the vote.

Award to:     A) Vendor:             First In, Inc.  
  El Paso, Texas  
Item:                                 #1A-1 Two (2) Each  
  (Base Price \$396,699.19 each)  
  Delete Options: 27, 43, 44, 46, 47, 50-53, 57-67  
Amount:                             \$729,318.74  
  - 28,571.42 Less Trade-In Allowance  
  \$700,747.32

Budget Number:                     04252003-508029-27260-PMB0004130  
Funding Source:                    FY2003 Capital Equipment  
**Fire Stations:**                    **Central, 15**

                          B) Vendor:             First In, Inc.  
  El Paso, Texas  
Item:                                 #1A-1 Three (3) Each  
  (Base Price \$396,699.19 each)  
  Delete Options: 27, 43, 44, 46, 47, 50-52, 54, 57-67  
Amount:                             \$999,688.11  
  - 42,857.13 Less Trade-In Allowance  
  \$956,830.98

Budget Number:                     04200401-508029-29204-PMB0005004  
Funding Source:                    FY2004 Capital Equipment  
**Fire Stations:**                    **18, 21, 24**

                          C) Vendor:             First In, Inc.  
  El Paso, Texas  
Item:                                 #2A-1 Two (2) Each  
  (Base Price \$396,699.19 each)  
  Delete Options: 27, 43, 44, 46, 47, 54, 57-67  
Amount:                             \$671,558.74  
  - 28,571.42 Less Trade-In Allowance  
  \$642,987.32

Budget Number: 04200401-508029-29204-PMB0005004  
Funding Source: FY2005 Capital Equipment  
Fire Stations: 8, 15

D) Vendor: First In, Inc.  
El Paso, Texas  
Item: #2A-1 Two (2) Each  
(Base Price \$396,699.19 each)  
Delete Options: 27, 43, 44, 46, 47, 54, 57-67  
Amount: \$671,558.74

Budget Number: 04200401-508029-29204-PMB0005004  
Funding Source: FY2005 Department Capital Equipment  
Fire Stations: 33, 34

Department: El Paso Fire Department  
Total Award: \$3,072,124.33

The Fire, Fleet Services and Purchasing Departments recommend award as indicated as this vendor has provided the Best Value Bid. This vendor is also the low responsible and responsive bidder.

This is a fixed-price, single (one-time) purchase, to purchase nine (9) 4 Person Tilt Cab Pumpers. There is an option from the vendor to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within three hundred and sixty-five (365) days, from the date of award of the contract. No prompt payment discount is offered.

.....  
Motion made by Representative Cushing, seconded by Representative Escobar and unanimously carried to **POSTPONE FOUR (4) WEEKS** the public hearing to determine if the property located at 2608-2610 Aurora Avenue AKA 2608 Aurora Avenue #1, #2 and 2610½ Aurora Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated August 3<sup>rd</sup>, 2004. The owners of this property, Hector Correa and Bertha Correa, 3116 Aurora Avenue, El Paso, Texas 79930, have been notified of the violations at this property. Delinquent taxes in the amount of \$0.

Mr. Thomas Maguire, Building Permits and Inspections, requested that the Council Members postpone the item for four (4) weeks.

.....  
**RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. ZON04-00107, FOR TRACT 17 G, BLOCK 36, YSLETA GRANT, EL PASO, EL PASO COUNTY, TEXAS (8613 ALAMEDA STREET), PURSUANT TO ZONING CONDITIONS AS IMPOSED BY ORDINANCE NO. 010372. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

WHEREAS, Longhorn Pizza Inc., dba Domino's Pizza, Mario Betancourt (the "Applicant") has applied for approval of a detailed site development plan pursuant to a contract condition, to permit the construction and development of a **Domino's Pizza**; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, on September 2, 2004, the City Plan Commission recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to zoning conditions as outlined in Ordinance No. 010372, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of a **Domino's Pizza** on the following described property which is located in a **C-2/sc/c (Commercial/special contract/conditions) District**:

*Tract 17 G, Block 36, Ysleta Grant, El Paso, El Paso County, Texas and municipally numbered as 8613 Alameda Street.*

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **C-2/sc/c (Commercial/special contract/conditions) District** regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **C-2/sc/c (Commercial/special contract/conditions) District**. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Mr. Rudy Valdez, Chief Urban Planner, gave a Powerpoint presentation and noted that the CPC (City Plan Commission) and DCC (Development Coordinating Committee) had recommended unanimous approval. He added that there was no opposition to the Detailed Site Development Plan and answered questions from and responded to comments made by the Council Members.

Representative Rojas commented.

The City Clerk called for pubic comment. There was no public comment.

Motion made by Representative Rojas, seconded by Representative Cushing and unanimously carried to **APPROVE** the above Resolution.

.....  
Item: Discussion and action on a Resolution authorizing the Mayor to sign an amendment to a zoning contract between the City of El Paso and Antonio Diaz amending the zoning contract dated April 14, 1987 and as imposed by Ordinance No. 8993 to delete a condition and impose new conditions for the property described as a Portion of Tract 12A and all of Tract 12B, Block 51, Ysleta Grant, El Paso, El Paso County, Texas (9647 Socorro Rd). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code.  
Applicant: Antonio Diaz. ZON04-00120

Mr. Rudy Valdez, Chief Urban Planner, gave a Powerpoint presentation and noted that the CPC (City Plan Commission) had approved the amendment to the contract; however, imposed new conditions to the contract. He explained that the DCC (Development Coordinating Committee) had recommended denial of the amendment to the contract as proposed by the owner. He added that there was opposition to the zoning change request and answered questions from and responded to comments made by the Council Members.

Mayor Joe Wardy and Representatives Cook, Cushing, Cobos and Lozano commented.

Mr. Victor Luna, citizen, spoke in opposition to amending the zoning contract and responded to comments and/or questions of Council Members

Mr. David Sigala, citizen, spoke in opposition to amending the zoning contract and responded to comments and/or questions of Council Members

**1<sup>st</sup> Motion:**

Motion made by Representative Escobar, seconded by Representative Cushing to postpone four (4) weeks the discussion and action on a Resolution authorizing the Mayor to sign an amendment to a zoning contract between the City of El Paso and Antonio Diaz amending the zoning contract dated April 14, 1987 and as imposed by Ordinance No. 8993 to delete a condition and impose new conditions for the property described as a Portion of Tract 12A and all of Tract 12B, Block 51, Ysleta Grant, El Paso, El Paso County, Texas (9647 Socorro Rd). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Antonio Diaz. ZON04-00120.

No vote was taken. Representative Cushing withdrew his second to allow for further public comment.

Mr. Eddie Gardea, Ysleta Neighborhood Association member, also spoke in opposition to amending the zoning contract and responded to comments and/or questions of Council Members

Representative Cushing reinstated his second to the postponement motion.

The City Clerk called for further public comment. There was no further public comment.

**2<sup>nd</sup> and Final Motion:**

Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to **POSTPONE FOUR (4) WEEKS** the discussion and action on a Resolution authorizing the Mayor to sign an amendment to a zoning contract between the City of El Paso and Antonio Diaz amending the zoning contract dated April 14, 1987 and as imposed by Ordinance No. 8993 to delete a condition and impose new conditions for the property described as a Portion of Tract 12A and all of Tract 12B, Block 51, Ysleta Grant, El Paso, El Paso County, Texas (9647 Socorro Rd). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Antonio Diaz. ZON04-00120

.....  
**ORDINANCE 15936**

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A 20-FOOT WIDE ALLEY WITHIN BLOCK 36 MORNINGSIDE HEIGHTS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Austin, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Ortega, Escobar, Rojas and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

**ORDINANCE 15937**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 11B, BLOCK 2, ASCARATE GRANT, EL PASO, EL PASO COUNTY, TEXAS FROM M-1 (LIGHT MANUFACTURING) TO C-4 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, gave a Powerpoint presentation and noted that the CPC (City Plan Commission) and DCC (Development Coordinating Committee) had recommended unanimous approval. He added that there was no opposition to the zoning change request and answered questions from and responded to comments made by the Council Members.

Representative Lozano and Mayor Joe Wardy commented.

Mr. Wayne Grinnell, representative of JACS Properties, Inc., commented and responded to questions of Council Members.

The City Clerk called for further pubic comment. There was no further public comment.

Motion duly made by Representative Lozano, seconded by Representative Cushing, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Ortega, Escobar and Cobos  
NAYS: None Absent: None

Representative Rojas was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

**ORDINANCE 15938**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 62, S.A. & M.G. RAILROAD COMPANY SURVEY NO. 267, EI PASO, EI PASO COUNTY, TEXAS (5218 DONIPHAN DRIVE) BE CHANGED FROM R-4 (RESIDENTIAL) TO C-1 (COMMERCIAL) AND TRACT 58 S.A. & M.G. RAILROAD COMPANY SURVEY NO. 267, EI PASO, EI PASO COUNTY, TEXAS (122 THORN AVENUE) FROM R-4 (RESIDENTIAL) TO A-O (APARTMENT/OFFICE). THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EI PASO MUNICIPAL CODE.**

Mr. Rudy Valdez, Chief Urban Planner, noted that the CPC (City Plan Commission) had proposed C-1 and A-O zoning and added that there was no opposition to the zoning change requests and answered questions from and responded to comments made by the Council Members. He revised the Ordinance caption to state "5218 Doniphan".

Representative Austin commented.

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Austin, seconded by Representative Cushing, that the Ordinance be **ADOPTED** as **REVISED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES:	Council Members Austin, Cushing, Lozano, Cook, Ortega, Escobar and Cobos
NAYS:	None
Absent:	None

Representative Rojas was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted as **REVISED**.

.....  
Motion made by Representative Cobos, seconded by Representative Rojas and unanimously carried to **ADJOURN** this meeting at 12:03 p.m.  
.....

APPROVED AS TO CONTENT:

   
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Richarda Duffy Momsen, City Clerk